

Court Debt Collection Senate File 2316

Last Action:

Final Action

April 27, 2016

An Act relating to the collection of delinquent court debt and associated installment agreements.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at: <https://www.legis.iowa.gov/publications/information/appropriationBillAnalysis>

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SIGNIFICANT CODE CHANGES

Permits a person to enter into an installment agreement with the county attorney or the private collection designee if the clerk of district court has reported the delinquency to the Department of Transportation.	Page 1, Line 6
Requires the county attorney or the private collection designee to notify the clerk of district court if the court debt is delinquent, unless the person provides a new financial statement as permitted under this section.	Page 2, Line 13
Permits a person with delinquent court debt to provide a new financial statement within 15 days of the determination of delinquency. The financial statement must indicate that the person's financial condition has changed to such an extent that lower installment payments would have been required prior to the execution of the initial installment agreement. After receipt of the financial statement, the county attorney or the private collection designee must not notify the clerk of district court of the delinquency, and the person is no longer considered in default.	Page 2, Line 19
Strikes the Iowa Code provision prohibiting a fine, penalty, surcharge, or court cost contained in an installment agreement in default from being placed in a new installment agreement.	Page 2, Line 36
Requires the Judicial Branch to assign court debt to a private collector if 30 days have passed from the date of assessment and full payment has not been received, unless the case has been assigned to a county attorney committed to collecting court debt.	Page 3, Line 1
Requires a case involving court debt to be assigned to a county attorney if the county attorney has filed a notice with the clerk of district court and 30 days have passed since the assessment of the court debt and full payment has not been received or an installment payment is not received within 30 days after the date it is due.	Page 3, Line 9
Permits the county attorney to collect court debt after the debt is deemed delinquent (30 days after assessment). The county attorney must first file with the clerk of district court (on or before July 1 of the first fiscal year the county collects) a notice of full commitment to collect and a memorandum of understanding with the state court administrator for all cases assigned to the county for collection. Sets case assignment procedure for counties that cease collection.	Page 3, Line 37
Requires 28.0% of the amounts collected by the county attorney, up to that county's threshold amount, to be deposited in the general fund of the county.	Page 5, Line 4
Requires the remaining 72.0% to be paid to the clerk of district court and deposited in the General Fund of	Page 5, Line 10

EXECUTIVE SUMMARY
COURT DEBT COLLECTION

the State of Iowa. If the amount collected by the county surpasses a certain threshold determined by population of the county, the excess is distributed between the county and the clerk of district court according to Iowa Code section [602.8107\(d\)](#).

Requires 5.0% of the additional moneys collected by the county attorney, exceeding the threshold, to be deposited with the office of the county attorney that collected the moneys, 28.0% of the additional moneys goes to the general fund of the county, and the remaining 67.0% is paid to the clerk of district court and deposited in the General Fund of the State of Iowa.

Page 5, Line 34

Requires a county that has entered into an Iowa Code chapter [28E](#) agreement with another county to collect at least enough delinquent court debt that originated in the county equal to the applicable threshold to qualify for distribution of excess moneys.

Page 6, Line 19

Requires a county attorney to collect 100.0% of the applicable collection threshold within two years of beginning to collect delinquent court debt, beginning July 1, 2017. If the county attorney collects more than 80.0% but less than 100.0% of the applicable threshold, the county attorney must collect at least 125.0% of the applicable threshold by the end of the next fiscal year to remain eligible. If the county attorney fails to meet the threshold, the county is ineligible to collect for the next two fiscal years, and all existing and future court cases with delinquent court debt are assigned to the private collector.

Page 6, Line 35

Requires the State Auditor to review the collection rate for each county collecting delinquent court debt; file a report of the result of the review with the General Assembly by January 1, 2018; and distribute the report to the Judicial Branch and each county collecting debt.

Page 7, Line 30

Senate File 2316 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
1	4	1	Amend	321.210B.1
2	1	2	Amend	321.210B.5
2	11	3	Amend	321.210B.8
2	36	4	Strike	321.210B.12
2	38	5	Amend	602.8107.3.a,c
3	35	6	Amend	602.8107.4

1 4 Section 1. Section 321.210B, subsection 1, Code 2016, is
1 5 amended to read as follows:

1 6 1. a. If a person's fine, penalty, surcharge, or court
1 7 cost is deemed delinquent as provided in section 602.8107,
1 8 subsection 2, and the person's driver's license has been
1 9 suspended pursuant to section 321.210A, or the clerk of the
1 10 district court has reported the delinquency to the department
1 11 as required by section 321.210A, the person may execute an
1 12 installment agreement as defined in section 602.8107 with
1 13 the county attorney, the county attorney's designee, or the
1 14 private collection designee under contract with the judicial
1 15 branch pursuant to section 602.8107, subsection 5, to pay the
1 16 delinquent amount and the civil penalty assessed in subsection
1 17 7 in installments. Prior to execution of the installment
1 18 agreement, the person shall provide the county attorney, the
1 19 county attorney's designee, or the private collection designee
1 20 with a financial statement in order for the parties to the
1 21 agreement to determine the amount of the installment payments.

CODE: Permits a person to enter into an installment agreement with the county attorney, or the private collection designee, if the clerk of district court has reported the delinquency to the Department of Transportation.

1 22 b. Cases involving court debt assigned to a county attorney,
1 23 a county attorney's designee, or the private collection
1 24 designee shall remain so assigned.

CODE: Requires cases involving court debt assigned to a county attorney or the private debt collector to remain where it was assigned.

2 1 Sec. 2. Section 321.210B, subsection 5, Code 2016, is
2 2 amended to read as follows:

2 3 5. Upon receipt of the report from the clerk of the
2 4 district court and payment of the reinstatement fee as
2 5 provided in section 321.191, the department shall terminate
2 6 the suspension if the suspension has not yet become effective.
2 7 If the suspension has become effective, the department shall
2 8 immediately reinstate the driver's license of the person unless
2 9 the driver's license of the person is otherwise suspended,
2 10 revoked, denied, or barred under another provision of law.

CODE: Requires the Department of Transportation (DOT), upon receipt of the report from the clerk of district court regarding an executed installment agreement and receipt of the first installment payment, to either terminate the suspension or immediately reinstate the person's driver's license.

2 11 Sec. 3. Section 321.210B, subsection 8, Code 2016, is
2 12 amended to read as follows:

2 13 8. a. ~~Upon~~ Except as provided in paragraph "b", upon
2 14 determination by the county attorney, the county attorney's
2 15 designee, or the private collection designee that the person
2 16 is in default, the county attorney, the county attorney's
2 17 designee, or the private collection designee shall notify the
2 18 clerk of the district court.

CODE: Requires the county attorney or the private collection designee to notify the clerk of district court if the person's court debt is delinquent, unless the person provides a new financial statement as permitted under this section.

2 19 b. (1) If the person is in default and the person

CODE: Permits a person with delinquent court debt to provide a new

2 20 provides a new financial statement within fifteen days of
 2 21 the determination made pursuant to paragraph "a" indicating
 2 22 that the person's financial condition has changed to such an
 2 23 extent that lower installment payments would have been required
 2 24 prior to the execution of the initial installment agreement
 2 25 under subsection 1, the county attorney, the county attorney's
 2 26 designee, or the private collection designee shall not notify
 2 27 the clerk of the district court, and the person shall not be
 2 28 considered in default. The new installment payments shall be
 2 29 based upon the new financial statement filed in compliance with
 2 30 this subparagraph.

financial statement within 15 days of the determination of delinquency. The financial statement must indicate that the person's financial condition has changed to such an extent that lower installment payments would have been required prior to the execution of the initial installment agreement. After receipt of the financial statement, the county attorney or the private collection designee must not notify the clerk of district court of the delinquency, and the person is no longer considered in default.

2 31 (2) A person making new installment payments after
 2 32 complying with the provisions of subparagraph (1) shall not be
 2 33 considered executing a new installment agreement for purposes
 2 34 of calculating the number of installment agreements a person
 2 35 may execute in a person's lifetime under subsection 13.

CODE: Requires that the new installment payments must not be considered executing a new installment agreement for the purposes of calculating the five installment agreements a person may enter in a lifetime.

2 36 Sec. 4. Section 321.210B, subsection 12, Code 2016, is
 2 37 amended by striking the subsection.

CODE: Strikes the code provision prohibiting a fine, penalty, surcharge, or court cost contained in an installment agreement in default from being placed in a new installment agreement.

2 38 Sec. 5. Section 602.8107, subsection 3, paragraphs a and c,
 2 39 Code 2016, are amended to read as follows:

3 1 a. Thirty days after court debt has been assessed and full
 3 2 payment has not been received, or if an installment payment is
 3 3 not received within thirty days after the date it is due, the
 3 4 judicial branch shall assign a case to the private collection
 3 5 designee under contract with the judicial branch pursuant to
 3 6 subsection 5 to collect debts owed to the clerk of the district
 3 7 court, unless the case has been assigned to the county attorney
 3 8 under paragraph "c".

CODE: Requires the Judicial Branch to assign court debt to a private collector if 30 days have passed from the date of assessment and full payment has not been received, unless the case has been assigned to a county attorney committed to collecting court debt.

DETAIL: Senate File 510 (FY 2016 Standing Appropriations Act) made several changes to the collection of outstanding court debt, most notably eliminating the Centralized Collection Unit (CCU) of the Department of Revenue from a debt collection role. Court debt is still deemed delinquent if not paid within 30 days of assessment or 30 days after an installment payment is due. Rather than placing debt with the CCU, it is assigned to a private debt collector if it has not been paid or entered into a payment plan with the county clerk. The county attorney can still file a notice of commitment after 90 days to collect the debt.

3 9 c.—If Thirty days after court debt has been assessed and
 3 10 full payment has not been received, or if an installment
 3 11 payment is not received within thirty days after the date it
 3 12 is due, and if a county attorney has filed with the clerk
 3 13 of the district court a notice of full commitment to collect
 3 14 delinquent court debt pursuant to subsection 4, the court
 3 15 debt in a case shall be assigned after sixty days to the

CODE: Requires a case involving court debt to be assigned to a county attorney if the county attorney has filed a notice of full commitment to collect delinquent court debt with the clerk of district court and 30 days have passed since the assessment of the court debt and full payment has not been received or an installment payment is not received within 30 days after the date it is due. The Judicial Branch must assign delinquent court debt cases to a county attorney in

3 16 county attorney as provided in subsection 4, ~~if the court debt~~
 3 17 ~~in a case is not part of an installment agreement with the~~
 3 18 ~~private collection designee under contract with the judicial~~
 3 19 ~~branch pursuant to subsection 5. The judicial branch shall~~
 3 20 assign cases with delinquent court debt to a county attorney
 3 21 in the same format and with the same frequency as cases with
 3 22 delinquent court debt are assigned to the private collection
 3 23 designee under paragraph "a", and a county attorney shall not
 3 24 be required to file an individual notice of full commitment
 3 25 to collect delinquent court debt for each assigned case. If
 3 26 the county attorney or the county attorney's designee, while
 3 27 collecting delinquent court debt pursuant to subsection 4,
 3 28 determines that a person owes additional court debt for which a
 3 29 case has not been assigned by the judicial branch, the county
 3 30 attorney or the county attorney's designee shall notify the
 3 31 clerk of the district court of the appropriate case numbers
 3 32 and the judicial branch shall assign these cases to the
 3 33 county attorney for collection if the additional court debt is
 3 34 delinquent.

3 35 Sec. 6. Section 602.8107, subsection 4, Code 2016, is
 3 36 amended to read as follows:

3 37 4. COUNTY ATTORNEY COLLECTION. The county attorney or
 3 38 the county attorney's designee may collect court debt ~~sixty~~
 3 39 ~~days~~ after the court debt is deemed delinquent pursuant to
 4 1 subsection 2. In order to receive a percentage of the amounts
 4 2 collected pursuant to this subsection, the county attorney
 4 3 must first file ~~annually~~ with the clerk of the district court
 4 4 on or before July 1 of the first year the county attorney
 4 5 collects court debt under this subsection, a notice of full
 4 6 commitment to collect delinquent court debt, and a memorandum
 4 7 of understanding with the state court administrator for all
 4 8 cases assigned to the county for collection by the court. The
 4 9 ~~annual~~ notice shall contain a list of procedures which will
 4 10 be initiated by the county attorney. For a county attorney
 4 11 filing a notice of full commitment for the first time, the
 4 12 cases involving delinquent court debt previously assigned to
 4 13 the private collection designee shall remain assigned to the
 4 14 private collection designee. Cases involving delinquent court
 4 15 debt assigned to the county attorney after the filing of a
 4 16 notice of full commitment by the county attorney shall remain
 4 17 assigned to the county attorney. A county attorney who chooses
 4 18 to discontinue collection of delinquent court debt shall file
 4 19 with the clerk of the district court on or before May 15 a
 4 20 notice of the intent to cease collection of delinquent court
 4 21 debt at the start of the next fiscal year. If a county attorney
 4 22 ceases collection efforts, or if the state court administrator

the same format and frequency as cases are assigned to the private collector. Specifies that the county attorney is not required to file a notice of full commitment to collect delinquent court debt for each assigned case. If, while collecting delinquent debt, a county attorney determines that the person owes court debt in addition to the assigned case, the county attorney must notify the clerk of district court of the appropriate case numbers. Requires the Judicial Branch to assign those cases to the county attorney for collection if the additional court debt is delinquent.

DETAIL: Under current law, a county attorney may collect if 60 days have passed since the debt became delinquent and the court debt is not already a part of an installment agreement with the private collector. In addition, county attorneys must annually submit a notice of full commitment containing a list of procedures initiated by them to collect debt for all cases assigned to the county for collection by the court.

CODE: Permits the county attorney to collect court debt after the debt is deemed delinquent (30 days after assessment). The county attorney must first file with the clerk of district court (on or before July 1 of the first fiscal year the county collects debt) a notice of full commitment to collect and a memorandum of understanding with the state court administrator for all cases assigned to the county for collection. Cases involving court debt assigned to the private collector prior to the county attorney's filing of the notice of commitment for the first time will remain assigned to the private collector and cases assigned after the filing will remain assigned to the county attorney. If a county attorney intends to cease collection of delinquent court debt, the county attorney must file a notice of intent to cease collection of delinquent court debt at the start of the next fiscal year with the clerk of district court on or before May 15. When the county ceases collection efforts, all cases involving delinquent court debt assigned to the county attorney must be transferred on July 1 to the private collector, except any debt associated with an existing installment agreement, unless an installment payment becomes delinquent. Any cases with a delinquent installment payment will be transferred to the private collection designee.

DETAIL: Under current law, a county attorney can begin collecting 90 days after the debt is assessed and 60 days after the debt becomes delinquent. County attorneys must annually submit a notice of full commitment containing a list of procedures initiated by them to collect

4 23 deems that a county attorney collections program has become
 4 24 ineligible to collect as specified in paragraph "f", all cases
 4 25 involving delinquent court debt assigned to the county attorney
 4 26 shall be transferred on July 1 to the private collection
 4 27 designee for collection, except that debt associated with any
 4 28 existing installment agreement shall remain assigned to the
 4 29 county for collection unless an installment payment becomes
 4 30 delinquent, after which the delinquent debt associated with
 4 31 the installment agreement shall be transferred promptly to the
 4 32 private collection designee for collection.

4 33 a. This subsection does not apply to amounts collected for
 4 34 victim restitution, the victim compensation fund, the criminal
 4 35 penalty surcharge, sex offender civil penalty, drug abuse
 4 36 resistance education surcharge, the law enforcement initiative
 4 37 surcharge, county enforcement surcharge, amounts collected as
 4 38 a result of procedures initiated under subsection 5 or under
 4 39 section 8A.504, or fees charged pursuant to section 356.7.
 5 1 b. Amounts collected by the county attorney or the county
 5 2 attorney's designee shall be distributed in accordance with
 5 3 paragraphs "c" and "d".

5 4 c. (1) ~~Forty~~ Twenty-eight percent of the amounts collected
 5 5 by the county attorney or the person procured or designated by
 5 6 the county attorney shall be deposited in the general fund of
 5 7 the county if the county attorney has filed the notice required
 5 8 by this subsection, unless the county attorney has discontinued
 5 9 collection efforts on a particular delinquent amount.

5 10 (2) The remaining ~~sixty~~ seventy-two percent shall be
 5 11 paid to the clerk of the district court each fiscal year for
 5 12 distribution under section 602.8108. However, if such amount,
 5 13 when added to the amount deposited into the general fund of
 5 14 the county pursuant to subparagraph (1), exceeds the following
 5 15 applicable threshold amount, the excess shall be distributed
 5 16 as provided in paragraph "d":

5 17 (a) For a county with a population greater than one hundred
 5 18 fifty thousand, an amount up to ~~five hundred thousand~~ one
 5 19 million dollars.

5 20 (b) For a county with a population greater than one hundred
 5 21 thousand but not more than one hundred fifty thousand, an
 5 22 amount up to ~~four~~ six hundred thousand dollars.

5 23 (c) For a county with a population greater than fifty
 5 24 thousand but not more than one hundred thousand, an amount up
 5 25 to ~~two hundred fifty~~ three hundred thousand dollars.

5 26 (d) For a county with a population greater than twenty-six
 5 27 thousand but not more than fifty thousand, an amount up to one
 5 28 hundred thousand dollars.

5 29 (e) For a county with a population greater than fifteen

debt for all cases assigned to the county for collection by the court.

CODE: Requires 28.0% of the amounts collected by the county attorney, up to that county's threshold amount, to be deposited in the general fund of the county.

CODE: Requires the remaining 72.0% to be paid to the clerk of district court and deposited in the General Fund of the State of Iowa. If the amount collected by the county surpasses a certain threshold determined by population of the county, the excess is distributed between the county and the clerk of district court according to Iowa Code section [602.8107\(d\)](#).

The following are the threshold amounts assigned by county population:

- Population of 150,000 and greater = \$1,000,000
- Between 100,000 and 150,000 = \$600,000
- Between 50,000 and 100,000 = \$300,000
- Between 26,000 and 50,000 = \$100,000
- Between 15,000 and 26,000 = \$50,000
- Less than or equal to 15,000 = \$25,000

FISCAL IMPACT: The formula for distribution between the counties and the State is estimated to be revenue neutral to the General Fund of the State of Iowa.

5 30 thousand but not more than twenty-six thousand, an amount up to
 5 31 fifty thousand dollars.
 5 32 (f) For a county with a population equal to or less than
 5 33 fifteen thousand, an amount up to twenty-five thousand dollars.

5 34 ~~d.—Any additional moneys collected by an individual county~~
 5 35 ~~after the distributions in paragraph “c” shall be distributed~~
 5 36 ~~by the state court administrator as follows: forty percent of~~
 5 37 ~~any additional moneys collected by the county attorney or the~~
 5 38 ~~person procured or designated by the county attorney shall be~~
 5 39 ~~deposited in the general fund of the county where the moneys~~
 6 1 ~~were collected; twenty percent of the remaining sixty percent~~
 6 2 ~~collected by the county attorney or the person procured or~~
 6 3 ~~designated by the county attorney~~ After the total collected by
 6 4 a county attorney exceeds the threshold amount set in paragraph
 6 5 “c”, and for the remainder of the fiscal year, five percent
 6 6 of the additional moneys collected shall be deposited with
 6 7 the office of the county attorney that collected the moneys;
 6 8 twenty-eight percent of the additional moneys collected shall
 6 9 be deposited in the general fund of the county where the moneys
 6 10 were collected; and the remainder remaining sixty-seven percent
 6 11 of the additional moneys shall be paid to the clerk of the
 6 12 district court for distribution under section 602.8108 or the
 6 13 state court administrator may distribute the remainder under
 6 14 section 602.8108 if the additional moneys have already been
 6 15 received by the state court administrator.

6 16 e. (1) A county may enter into an agreement pursuant to
 6 17 chapter 28E with one or more other counties for the purpose of
 6 18 collecting delinquent court debt pursuant to this subsection.

6 19 (2) ~~Notwithstanding paragraph “c”, if a county subject~~
 6 20 ~~to the threshold amount in paragraph “c”, subparagraph (2),~~
 6 21 ~~subparagraph division (e) or (f) enters into such an agreement~~
 6 22 ~~exclusively with a county or counties subject to the threshold~~
 6 23 ~~amount in paragraph “c”, subparagraph (2), subparagraph~~
 6 24 ~~division (e) or (f), the threshold amount applicable to all~~
 6 25 ~~of the counties combined shall be a single threshold amount,~~
 6 26 ~~equal to the threshold amount attributable to the county with~~
 6 27 ~~the largest population~~ When a county enters into a chapter 28E
 6 28 agreement with another county or counties to collect delinquent
 6 29 court debt, the county or the county debt collection designee
 6 30 must collect an amount of delinquent court debt that originated
 6 31 in the county and that is equal to the applicable threshold
 6 32 amount under paragraph “c” in order for the county to qualify
 6 33 for distribution of moneys collected by county attorneys under
 6 34 paragraph “d”.

6 35 f. Beginning July 1, 2010 ~~2017~~, and every fiscal year

CODE: Requires 5.0% of the additional moneys collected by the county attorney that exceed the threshold to be deposited with the office of the county attorney that collected the moneys, 28.0% of the additional moneys goes to the general fund of the county, and the remaining 67.0% is paid to the clerk of district court and deposited in the General Fund of the State of Iowa.

CODE: Specifies the threshold requirements for distribution of excess moneys when a county enters into an Iowa Code chapter [28E](#) agreement with another county to collect delinquent court debt. The county must collect an amount of delinquent court debt that originated in the county and is equal to the applicable threshold.

DETAIL: Under current law, the threshold for counties in an Iowa Code chapter [28E](#) agreement is determined by the largest county participating in the agreement.

CODE: Requires a county attorney to collect 100.0% of the applicable

6 36 thereafter, amounts collected and distributed pursuant to
 6 37 this subsection shall be equal to or greater than twenty-five
 6 38 thousand dollars for each county or twenty-five thousand
 6 39 dollars in the aggregate for counties that have entered into an
 7 1 agreement pursuant to chapter 28E. If a county, or counties
 7 2 that have entered into a chapter 28E agreement, fails to meet
 7 3 the minimum threshold established in this paragraph, the
 7 4 county, or counties under the chapter 28E agreement, shall
 7 5 be within two years of beginning to collect delinquent court
 7 6 debt, a county attorney shall be required to collect one
 7 7 hundred percent of the applicable threshold amount specified
 7 8 in paragraph "c". If a county attorney collects more than
 7 9 eighty percent but less than one hundred percent of the
 7 10 applicable threshold amount, the state court administrator
 7 11 shall provide notice to the county attorney specifying that in
 7 12 order to remain eligible to participate in the county attorney
 7 13 collection program, the county attorney must collect at least
 7 14 one hundred twenty-five percent of the applicable threshold
 7 15 amount by the end of the next fiscal year. If a county attorney
 7 16 who has been given such a notice fails to collect one hundred
 7 17 twenty-five percent of the applicable threshold amount, the
 7 18 state court administrator shall provide notice to the county
 7 19 attorney that the county is ineligible to participate in the
 7 20 county attorney collection program for the following next two
 7 21 fiscal year years and all existing and future court cases
 7 22 with delinquent court debt shall be assigned to the private
 7 23 collection designee. In the event a county is ineligible to
 7 24 collect under this program, the county may apply to the state
 7 25 debt coordinator established in section 421C.1 to reenter
 7 26 the program following the fiscal year of ineligibility. The
 7 27 provisions of this paragraph apply to all counties, including
 7 28 those counties where delinquent court debt is collected
 7 29 pursuant to a chapter 28E agreement with one or more counties.

7 30 Sec. 7. STATE AUDITOR — REPORT. The state auditor shall
 7 31 review the collection rate for each county that has filed a
 7 32 notice of full commitment to collect delinquent court debt, and
 7 33 file a report of the results of the review with the general
 7 34 assembly by January 1, 2018. Additionally, the state auditor
 7 35 shall distribute the report to the judicial branch and to each
 7 36 county attorney who has filed a notice of full commitment to
 7 37 collect delinquent court debt.

7 38 Sec. 8. TEMPORARY PROVISION FOR COUNTY COLLECTION
 7 39 PROGRAMS. Notwithstanding the amendment to section 602.8107,
 7 40 subsection 4, paragraph "f", in this Act, the provisions of
 7 41 section 602.8107, subsection 4, paragraph "f", Code 2016, apply
 7 42 to individual counties or counties entering into a chapter 28E

collection threshold within two years of beginning to collect delinquent
 court debt, beginning July 1, 2017. If the county attorney collects more
 than 80.0% but less than 100.0% of the applicable threshold, the state
 court administrator must provide notice to the county attorney
 specifying that in order to remain eligible to collect, the county attorney
 must collect at least 125.0% of the applicable threshold by the end of
 the next fiscal year. If the county attorney fails to meet the threshold,
 the state court administrator must provide notice to the county attorney
 that the county is ineligible to collect for the next two fiscal years,
 requiring all existing and future court cases with delinquent court debt
 to be assigned to the private collector. Specifies that the threshold
 provisions apply to all counties, including those collecting pursuant to
 an Iowa Code chapter [28E](#) agreement.

DETAIL: Under current law, counties that fail to meet the threshold can
 reapply with the Judicial Branch to reenter the program the following
 fiscal year.

Requires the State Auditor to review the collection rate for each county
 collecting delinquent court debt, file a report of the result of the review
 with the General Assembly by January 1, 2018, and distribute the
 report to the Judicial Branch and each county collecting debt.

Specifies that the new eligibility threshold requirements will apply to
 collecting counties starting in FY 2018.

7 43 agreement until June 30, 2017.

Estimated Allocations By County Under SF 2316- Court Debt Collection

Participating Counties	Proposed Formula				FY 2015 Under Proposed Formula		Actual FY 15 County Collections That County Kept	Difference between Actual FY 15 County Collections and Proposed Formula
	ACTUAL COLLECTIONS BY CTY ATTYS AND CCU FY 15	Proposed County Threshold	Step 1: 72% up to threshold goes to State	Step 2: 67% of amount after threshold goes to State	Total to State	Total to County		
POLK	\$ 5,902,546	\$ 1,000,000	\$ 720,000	\$ 3,284,706	\$ 4,004,706	\$ 1,897,840	\$ 1,877,964	\$ 19,876
LINN	2,338,441	1,000,000	720,000	896,755	1,616,755	721,686	778,260	-56,574
SCOTT	1,453,571	1,000,000	720,000	303,893	1,023,893	429,678	440,016	-10,338
BLACK HAWK	2,418,995	600,000	432,000	1,218,727	1,650,727	768,268	904,598	-136,330
JOHNSON	1,396,330	600,000	432,000	533,541	965,541	430,789	242,817	187,972
WOODBURY	969,591	600,000	432,000	247,626	679,626	289,965	75,481	214,484
POTTAWATTAMIE	1,184,349	300,000	216,000	592,514	808,514	375,835	267,977	107,858
STORY	1,148,977	300,000	216,000	568,815	784,815	364,162	371,258	-7,096
DALLAS	559,653	300,000	216,000	173,968	389,968	169,685	145,220	24,465
CLINTON	318,664	100,000	72,000	146,505	218,505	100,159	65,348	34,811
WARREN	533,998	100,000	72,000	290,779	362,779	171,219	155,311	15,908
MUSCATINE	654,252	100,000	72,000	371,349	443,349	210,903	238,361	-27,458
MARSHALL	556,515	100,000	72,000	305,865	377,865	178,650	219,368	-40,718
DES MOINES	483,683	100,000	72,000	257,068	329,068	154,615	168,731	-14,116
WEBSTER	406,753	100,000	72,000	205,525	277,525	129,228	125,440	3,788
LEE	459,472	100,000	72,000	240,846	312,846	146,626	149,862	-3,236
WAPELLO	337,204	100,000	72,000	158,927	230,927	106,277	7,338	98,939
SIoux	249,200	100,000	72,000	99,964	171,964	77,236	59,420	17,816
MARION	389,405	100,000	72,000	193,901	265,901	123,504	107,289	16,215
BOONE	251,584	100,000	72,000	101,561	173,561	78,023	63,492	14,531
BENTON	241,107	100,000	72,000	94,542	166,542	74,565	85,270	-10,705
PLYMOUTH	440,041	50,000	36,000	261,327	297,327	142,714	170,828	-28,114
WASHINGTON	277,298	50,000	36,000	152,290	188,290	89,008	73,226	15,782
WINNESHIEK	153,218	50,000	36,000	69,156	105,156	48,062	53,138	-5,076
CARROLL	202,034	50,000	36,000	101,863	137,863	64,171	60,103	4,068
JONES	134,720	50,000	36,000	56,762	92,762	41,958	21,075	20,883
BUENA VISTA	505,665	50,000	36,000	305,296	341,296	164,369	198,107	-33,738
JACKSON	118,133	50,000	36,000	45,649	81,649	36,484	27,457	9,027
TAMA	120,384	100,000	72,000	13,657	85,657	34,727	12,117	22,610
HARDIN	138,776	50,000	36,000	59,480	95,480	43,296	18,737	24,559
JEFFERSON	241,199	50,000	36,000	128,103	164,103	77,096	80,381	-3,285
CLAY	277,239	50,000	36,000	152,250	188,250	88,989	102,405	-13,416

Estimated Allocations By County Under SF 2316- Court Debt Collection

Participating Counties	ACTUAL COLLECTIONS BY CTY ATTYS AND CCU FY 15	Proposed Formula			FY 2015 Under Proposed Formula		Actual FY 15 County Collections That County Kept	Difference between Actual FY 15 County Collections and Proposed Formula
		Proposed County Threshold	Step 1: 72% up to threshold goes to State	Step 2: 67% of amount after threshold goes to State	Total to State	Total to County		
DICKINSON	263,353	50,000	36,000	142,947	178,947	84,406	77,497	6,909
IOWA	134,006	50,000	36,000	56,284	92,284	41,722	30,524	11,198
KOSSUTH	115,908	50,000	36,000	44,158	80,158	35,750	32,515	3,235
HARRISON	134,691	25,000	18,000	73,493	91,493	43,198	40,111	3,087
OBRIEN	204,732	25,000	18,000	120,420	138,420	66,312	84,879	-18,567
ALLAMAKEE	84,457	25,000	18,000	39,836	57,836	26,621	19,380	7,241
CASS	129,784	25,000	18,000	70,205	88,205	41,579	25,775	15,804
CHEROKEE	247,324	25,000	18,000	148,957	166,957	80,367	87,694	-7,327
FREMONT	122,539	25,000	18,000	65,351	83,351	39,188	1,664	37,524
LYON	48,504	25,000	18,000	15,748	33,748	14,756	14,370	386
LOUISA	108,496	25,000	18,000	55,942	73,942	34,554	20,166	14,388
EMMET	150,067	25,000	18,000	83,795	101,795	48,272	53,856	-5,584
PALO ALTO	111,736	25,000	18,000	58,113	76,113	35,623	43,780	-8,157
MONONA	76,498	25,000	18,000	34,504	52,504	23,994	6,846	17,148
POCAHONTAS	114,238	25,000	18,000	59,789	77,789	36,449	32,154	4,295
IDA	87,033	25,000	18,000	41,562	59,562	27,471	26,518	953
OSCEOLA	64,722	25,000	18,000	26,614	44,614	20,108	25,463	-5,355
TAYLOR	48,566	25,000	18,000	15,789	33,789	14,777	14,253	524
RINGGOLD	34,610	25,000	18,000	6,439	24,439	10,171	5,513	4,658
Totals	\$ 27,144,261	\$ 8,050,000	\$ 5,796,000	\$ 12,793,155	\$ 18,589,155	\$ 8,555,106	\$ 8,009,353	\$ 545,753
Apply 3.0% Growth Rate for FY 2017 Collections					\$ 19,146,830	\$ 8,811,759		
Actual Breakout FY 2015 Collections					\$ 19,102,594	\$ 8,041,667		

Prepared by Alice Wisner and Laura Book, LSA, 4/11/2016

Only County Attorney and CCU actual collections from FY 2015 are used, with no fees or restitution

Two Step Formula, 72% to State up to threshold, then 67% to State after threshold reached

Tama County has a higher threshold amount because they are in a 28E agreement with Benton County